

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ALIBABA GROUP HOLDING LIMITED,

Plaintiffs,

-against-

ALIBABACOIN FOUNDATION a/k/a
ABBC FOUNDATION, ABBC BLOCK
CHAIN IT SOLUTIONS LLC,
ALIBABACOIN GENERAL TRADING
FZE, ALIBABACOIN FOUNDATION
LLC, JASON DANIEL PAUL PHILIP,
HASAN ABBAS,

Defendants.

Case No.: 1:18-cv-02897-JPO

**DECLARATION OF ANNE C.
LEFEVER IN SUPPORT OF MOTION
FOR LEAVE TO WITHDRAW AS
COUNSEL FOR DEFENDANTS
ALIBABA FOUNDATION a/k/a ABBC
FOUDNATION, ABBC BLOCK CHAIN
IT SOLUTIONS LLC, ALIBABACOIN
GENERAL TRADING FZE,
ALIBABACOIN FOUNDATION LLC,
AND JASON DANIEL PAUL PHILIP
AND MOTION TO EXTEND
DEADLINES FOR EXPEDITED
JURISDICTIONAL DISCOVERY**

Pursuant to Local Rule 1.4, I, Anne C. Lefever, respectfully requests leave to withdraw for me, my co-counsel William P. Atkins, and the law firm Pillsbury Winthrop Shaw Pittman LLP (collectively, “Pillsbury” or “Counsel”) as counsel to defendants Alibabacoin Foundation a/k/a ABBC Foundation, ABBC Block Chain IT Solutions LLC, Alibabacoin General Trading FZE, Alibabacoin Foundation LLC, and Jason Daniel Paul Philip (collectively, the “ABBC Group”). In support of the motion, I state, pursuant to 28 U.S.C. § 1746, as follows:

1. On April 6, 2018, the ABBC Group retained Pillsbury to represent it in this action. On May 10, 2018, this Court entered an order (the “Order”) granting the letter motion of Plaintiff, Alibaba Group Holding, Ltd. (“AGH”), seeking expedited jurisdictional discovery,

requiring the ABBC Group to comply with AGH's requests for production by May 31, 2018 and to produce the requested witnesses for depositions by June 7, 2018.

2. Since the day the Order was issued, Pillsbury has made multiple attempts at communication with the ABBC Group regarding their obligations under the Order, and to assist them in preparing to comply with the requests for production and witness depositions by their respective deadlines. Pillsbury's efforts to communicate with the ABBC Group include a number of emails requesting information from the ABBC Group as well as conference calls between Pillsbury and the ABBC Group to further explain to them their obligations.

3. Pillsbury's repeated attempts at communication have resulted in significant and growing material differences between Pillsbury and the ABBC Group on how to proceed, and have resulted in the ABBC Group being unresponsive and declining to follow Pillsbury's advice.

4. To facilitate the transition of the ABBC Group to new counsel, Pillsbury will not assert a retaining lien against the ABBC Group's client files for this case. Pillsbury acknowledges that it has no basis to assert a charging lien in this case because the ABBC Group is not seeking any damages. Pillsbury plans to provide the ABBC Group's files to the ABBC Group and any new counsel the ABBC Group retains and to provide reasonable assistance in transitioning this case to such new counsel so that the ABBC Group is not prejudiced by Pillsbury's withdrawal.

5. Proceedings in this action are still in the preliminary stages, and this withdrawal will not prejudice any other party.

6. Pillsbury has told the ABBC Group of its plans to seek leave to withdraw and a copy of the papers in support of the motion for leave to withdraw were sent to the ABBC Group by Pillsbury. After Pillsbury notified the ABBC Group of its plans to seek leave to withdraw, the ABBC Group requested a conference call, during which Pillsbury and the ABBC Group attempted to resolve our material differences but were unable to do so. During this call the ABBC Group requested that Pillsbury, as part of the motion for leave to withdraw, request that the ABBC Group be granted an additional 30 days to respond to the document requests and a corresponding extension of the date by which to complete depositions that is consistent with the time provided for in the Order. Pillsbury hereby makes that request on their behalf.

7. Pursuant to Your Honor's Individual Practice in Civil Cases 2.D, because *Howard v. Contino*, No. 05-CV-1668 (ENV) (ARL), 2010 BL 149218 (E.D.N.Y. June 29, 2010) is an unpublished case that is not available on Westlaw, Pillsbury submits, as Exhibit A, a true and correct copy of the decision as acquired from pacer.gov.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Date: May 25, 2018

/s/ Anne C. Lefever
Anne C. Lefever